

REMARKS

INTRODUCTION

In accordance with the foregoing, claims 1-22 have been amended. Claim 23 has been canceled. Claim 24 has been added. Claims 1-22 and 24 are pending and under consideration.

ENTRY OF AMENDMENT UNDER 37 C.F.R. §1.116:

The Applicant requests entry of this Rule 116 Response because:

the amendments to claims 1-22 were not earlier presented because the Applicant believed in good faith that the cited prior art did not disclose the present invention as previously claimed.

The Manual of Patent Examining Procedure sets forth in Section 714.12 that "any amendment that would place the case either in condition for allowance or in better form for appeal may be entered." Moreover, Section 714.13 sets forth that "the Proposed Amendment should be given sufficient consideration to determine whether the claims are in condition for allowance and/or whether the issues on appeal are simplified." The Manual of Patent Examining Procedure further articulates that the reason for any non-entry should be explained expressly in the Advisory Action.

CLAIM REJECTION UNDER 35 U.S.C. § 102

Claims 1-23 are rejected under 35 U.S.C. § 102(e) as being anticipated by Takashima (U.S. Patent No. 6,787,941).

On page 5, the Office Action states:

The difference between the current application and the prior art is: in [the] Application's embodiment, the connection mold is formed on the distal end relative to the pivot center; and in Takashima's embodiment, the connection mold is formed on the end close to the pivot center.

Amended, independent claim 1, for example, recites "...a connection mold connecting the outer mold and the inner mold being formed on at least part of a surface of the area of the coil having the non-effective portion and not on the area of the coil having the effective portion and on the outer circumference of the coil on the distal end relative to the pivot hole."

Takashima fails to disclose "...a connection mold connecting the outer mold and the inner mold being formed on at least part of a surface of the area of the coil having the non-

effective portion and not on the area of the coil having the effective portion and on the outer circumference of the coil on the distal end relative to the pivot hole" as recited, for example, in amended independent claim 1.

In view of the above, it is respectfully submitted that the rejection is overcome.

NEW CLAIM

New claim 24 recites "...a connection mold connecting the inner mold and the outer mold across the coil being formed on the outer circumference of the voice coil on the distal end relative to the pivot hole." Nothing in the cited reference teaches or suggests such. It is submitted that this new claim, which is different and not narrower than prior filed claims distinguishes over the cited reference.

CONCLUSION

In accordance with the foregoing, the Applicants respectfully submit that all outstanding objections and rejections have been overcome and/or rendered moot, and further, that all pending claims patentably distinguish over the cited art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited. At a minimum, the Board should enter this Amendment at least for purposes of Appeal as it either clarifies and/or narrows the issues for consideration.

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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Date:

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